

REMARKS

Status of Claims:

Claims 1 and 3-16 are present for examination.

Claim Objection:

Claim 10 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

The objection is respectfully traversed.

Claim 10 depends from independent claim 9. Independent claim 9 recites the limitation that, “said preregistered bank account information of said buyer including a PIN number which is encoded prior to sending to said buyer bank server from said buyer terminal”. (Emphasis Added). Thus, in claim 9, there is the limitation that preregistered bank account information includes a PIN number, and the PIN number is encoded prior to sending to a buyer bank server from a buyer terminal.

Claim 10 recites the further limitation that, “said terminal device of said buyer encodes said preregistered bank account information of said buyer.” (Emphasis Added). Thus, with a payment managing system as recited in claim 10, not only is a PIN number of preregistered bank account information encoded, but if the preregistered bank account information includes more than a PIN number, then all of the preregistered bank account information is encoded.

Therefore, dependent claim 10 further limits the subject matter of independent claim 9 and, thus, is believed to be in compliance with the requirements of 37 CFR 1.75(c).

Obviousness Rejection:

Claims 1 and 3-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCarty et al. (U.S. Patent Number 5,946,660) (hereinafter McCarty) in view of Elgamal (U.S. Patent Number 5,671,279). Further, the Examiner takes Official Notice that sending a

reminder to request an overdue payment and a confirmation to renew a contract prior to expiration is old and well known in the art.

With respect to claims 1 and 3-16, as amended, the rejection is respectfully traversed. Also, applicant traverses such taking of Official Notice and holds the Examiner to strict proofs thereof.

Independent claim 1, as amended, recites a method for managing a payment between a seller and a buyer using a network, comprising the steps of:

“at a buyer terminal, accessing a home page of said seller through said network;
inputting at the home page of said seller displayed on said buyer terminal, the name and identification data of said buyer into said buyer terminal connected to said network, said identification data including a password of said buyer;
verifying said buyer based on the input name and identification data using a seller terminal connected to said network, said verifying including comparing said password of said buyer entered at said buyer terminal with password data stored in a payment management table installed at said seller terminal;
displaying at said buyer terminal, for each contract between said buyer and seller, a title, an amount due, and a due date, said buyer authorizing at said buyer terminal payment as to each contract;
sending preregistered bank account information of said buyer, after said seller terminal has verified said buyer, directly to a bank server of said buyer via said network using said buyer terminal, said preregistered bank account information of said buyer including an encoded PIN number of said buyer;
sending preregistered bank account information of said seller and a payment amount, after said seller terminal has verified said buyer, directly to said bank server of said buyer via said network using said seller terminal; and
transferring the payment amount to said seller’s bank account, which is indicated by said preregistered bank account information of said seller, directly from said buyer’s bank account, which is indicated by said preregistered bank account information of said buyer, using said bank server of said buyer, said transfer taking place over a line separate from said network.” (Emphasis Added).

A method for managing a payment between a seller and a buyer including the above-quoted features has the advantage that preregistered bank account information of the buyer is sent directly to a bank server of the buyer via a network using a buyer terminal. Also,

preregistered bank account information of the seller is sent directly to the bank server of the buyer via the network using a seller terminal. Furthermore, a payment amount is transferred to the seller's bank account using the bank server of the buyer. (Specification; page 9, line 19 to page 10, line 12).

Neither McCarty nor Elgamal, alone or in combination, disclose or suggest a method for managing a payment between a seller and a buyer including the above-quoted features. With the automated storage system of McCarty, a customer may communicate with a central command center via an interactive kiosk located at each of a plurality of storage facilities or an auxiliary access means, such as the Internet, to undertake various self-storage related transactions. (McCarty; abstract). Each interactive kiosk 22 in McCarty may include a monetary transfer means in the form of a credit card reader 38 and a check reader 40, and may further include a cash acceptance device 46 for accepting legal tender within the kiosk 22. (McCarty; column 5, lines 3-18). McCarty further discloses that the kiosk 22 may provide an automatic fund transfer arrangement where funds are automatically withdrawn from the customer's bank account. (McCarty; column 6, lines 46-56). Thus, the payment methods provided for in the system of McCarty include: (i) credit card payment; (ii) check payment; (iii) automatic withdrawal from the user's bank account; and (iv) direct cash deposit. (McCarty; column 8, lines 6-11; column 9, lines 17-20; column 10, lines 42-46).

Each of the payment methods in McCarty will now be examined to show the differences with respect to the method for managing a payment between a seller and a buyer including the above-quoted features. First, when payments are made with cash in the system of McCarty, the customer only provides cash (legal tender) to the seller, and the customer does not send any preregistered bank account information to a bank server of the customer.

Second, when payments are made with a check in the system of McCarty, the customer only delivers a check to the seller, and the customer does not send any preregistered bank account information to a bank server of the customer. Third, when payments are made by credit card in the system of McCarty, the customer provides credit card information to the seller, and the customer does not send any preregistered bank account information to a bank server of the customer. (McCarty; column 5, lines 11-13; column 6, lines 42-45).

Fourth, when payments are made by an automatic withdrawal from a user's bank account in the system of McCarty, if the payments are made at a kiosk 22, then the information for the automatic withdrawal is provided to the kiosk 22 through a monetary transfer means or money accepting device. (McCarty; column 6, lines 50-55). If transactions in the system of McCarty are performed over the Internet rather than through a kiosk, McCarty does not disclose how the automatic withdrawal is performed, but McCarty seems to suggest that information for the automatic withdrawal is provided by the customer to a command center 12 of the seller. (McCarty; column 11, lines 36-50). Thus, McCarty appears to teach that the withdrawal information is provided to the seller by the customer, and then the seller must use the information to perform the withdrawal. McCarty neither discloses nor suggests that the customer sends preregistered bank account information directly to a bank server of the customer to perform the automatic withdrawal.

Furthermore, combining the system of Elgamal with the system of McCarty would not cure the deficiency in the teaching of McCarty, because Elgamal similarly teaches that when a customer makes a payment, the customer provides payment information to a merchant, and then the merchant provides the customer's payment information to an acquiring bank of the merchant. (Elgamal; column 3, lines 37-47). Indeed, Elgamal explicitly states that the discussion provided in Elgamal "does not address issues that are related to having the issuing bank attached to the Internet." (Elgamal; column 3, lines 44-47).

Therefore, independent claim 1 is neither disclosed nor suggested by the cited prior art and, hence, is believed to be allowable.

Independent claim 9 recites a payment managing system between a seller and a buyer with features similar to features of the method for managing a payment between a seller and a buyer of independent claim 1. Therefore, independent claim 9 is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

The dependent claims are deemed allowable for at least the same reasons indicated above with regard to the independent claims from which they depend.

Conclusion:

Applicant believes that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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